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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/115,131    07/14/98    LAKIN

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MM22/0124

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EXAMINER

NORRIS, J

ART UNIT

PAPER NUMBER

2831

DATE MAILED:

01/24/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

## Office Action Summary

**Application No.**

09/115,131

**Applicant(s)**

LAKIN ET AL.

**Examiner**

Jeremy Norris

**Art Unit**

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

### Attachment(s)

- 14) ☒ Notice of References Cited (PTO-892)
- 15) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 16) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 17) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 18) ☐ Notice of Informal Patent Application (PTO-152)
- 19) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "at least one electronic device" in the second paragraph. There is insufficient clear antecedent basis for this limitation in the claim. Examiner is unsure whether Applicant is referring to the electronic device stated in the preamble of the claim or a different electronic device.

Claim 1 recites the limitation "a signal connector pad located upon the upper surface of the die" in lines 2-3 of the second to last paragraph. There is insufficient clear antecedent basis for this limitation in the claim. Examiner is unsure whether Applicant is referring to the signal connector pads previously stated in the claim or a new set of connector pads.

Claim 5 recites the limitation "the conducting strip" in line one. There is insufficient antecedent basis for this limitation in the claim. It appears to Examiner that this claim was meant to depend from claim 3 not from claim 2 as stated in the first line of the claim.

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Claim 11 recites the limitation "at least one electronic device" in the second paragraph. There is insufficient clear antecedent basis for this limitation in the claim.

Examiner is unsure whether Applicant is referring to the electronic device stated in the preamble of the claim or a different electronic device.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Temple et al (US 4,905,075).

Temple et al (hereafter Temple) discloses, referring to Figure 5, a die (base 15) having an upper surface and at least one electronic device (semiconductor device 12c), and having a plurality of signal conductors (metallization layer 70) located on the upper surface of the die and having a bonding strip (the area underneath side wall member 20) located on the upper surface of the die, a lid (cover 30) made of a substantially non-conducting material and having a lower and upper surface and having a lower surface bonding strip (the portion of cover 30 above side wall member 20) and a plurality of lower surface signal conductor pads (plates 60a & 60b) located upon the lower surface of the lid and a plurality of upper surface signal conductor pads (apparent in the figure, but not specifically referred to) located on the upper surface of the lid and electrically

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connected to the lower surface signal conductor pads, wherein each lower surface signal conductor pad is also electrically connected to one of the signal conductor pads on the upper surface of the die, and the bonding strips on the upper surface of the die bonded to the bonding strip on the lower surface of the lid by a bonding material (side wall spacer 20) the lid covering the electronic device but not in physical contact with the device (12c). Temple does not specifically state that the semiconductor device 12 have an acoustically active portion. However, such devices are well known in the art. Therefore, it would have been obvious to one having ordinary skill in the art at the time the claimed invention was made to use a semiconductor device having an acoustically active portion as a functional equivalent of the semiconductor device in the invention of Temple for the selection of any of these known semiconductor devices would be within the level of ordinary skill in the art [claim 1].

Additionally, Temple discloses a conductive material (conductive region 32) located within a hole in the cover 30 to electrically connect the upper and lower signal conductors of the lid [claim 2].

Furthermore the bonding strips on both the die and the lid completely surround the electronic device and hermetically seal the device [claims 7&8]

***Allowable Subject Matter***

Claim 11 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action.

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Claims 3-6, 9, 10 and 12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Claims 3, 4, and 11 state the limitations that "the lid further include a conducting strip on the upper surface of the lid that is electrically connected to the bonding strip on the lower surface of the lid". Additionally these claims recite the limitation " the bonding strip on the upper surface of the die and the bonding strip on the lower surface of the lid are made of conducting material and are electrically connected by the bonding material.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following documents disclose chip sized packages comprising lids not in direct physical contact with the chip housed within:

US 4,914,741	Brown et al.,
US 4,972,253	Palino et al.,
US 5,099,392	Miller et al.,
US 5,418,329	Katoh et al.,
US 5,745,986	Variot et al.,
US 5,808,872	Ozawa,
US 5,827,999	McMillan et al.,
US 5,950,073	Griffin, IV et al..

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy Norris whose telephone number is 703-306-5737. The examiner can normally be reached on Monday - Thursday, 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-1341 for regular communications and 703-305-1341 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0658.

*Kristine Kincaid*  
Kristine Kincaid  
Supervisory Patent Examiner  
Technology Center 2200

JCSN  
January 17, 2000